

1 Robert A. Mittelstaedt (SBN 060359)
Jason McDonell (SBN 115084)
2 Elaine Wallace (SBN 197882)
JONES DAY
3 555 California Street, 26th Floor
San Francisco, CA 94104
4 Telephone: (415) 626-3939
Facsimile: (415) 875-5700
5 ramittelstaedt@jonesday.com
jmcdonell@jonesday.com
6 ewallace@jonesday.com

7 Tharan Gregory Lanier (SBN 138784)
Jane L. Froyd (SBN 220776)
8 JONES DAY
1755 Embarcadero Road
9 Palo Alto, CA 94303
Telephone: (650) 739-3939
10 Facsimile: (650) 739-3900
tglanier@jonesday.com
11 jfroyd@jonesday.com

12 Scott W. Cowan (Admitted *Pro Hac Vice*)
Joshua L. Fuchs (Admitted *Pro Hac Vice*)
13 JONES DAY
717 Texas, Suite 3300
14 Houston, TX 77002
Telephone: (832) 239-3939
15 Facsimile: (832) 239-3600
swcowan@jonesday.com
16 jlfuchs@jonesday.com

17 Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
18 TOMORROWNOW, INC.

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 ORACLE USA, INC., et al.,
23 Plaintiffs,
24 v.
25 SAP AG, et al.,
26 Defendants.

Case No. 07-CV-1658 PJH (EDL)

**[PROPOSED] ORDER DENYING
PLAINTIFFS' MOTION TO
COMPEL**

DISCOVERY MATTER

1 Oracle filed a Motion to Compel Production of Documents Related to Damages Model
2 and Interrogatory Responses Related to Use of Plaintiffs' Intellectual Property. The relief sought
3 in Oracle's Motion is as follows:

4 1. An Order compelling Defendants to produce certain documents responsive to
5 Requests for Production 21-23 and 27 from Oracle's Second Set of Requests for Production of
6 Documents and subpart (l) of Oracle's First Targeted Search Request; and

7 2. An Order compelling Defendant TomorrowNow, Inc. to provide supplemental
8 responses to Interrogatory 13 from Oracle Corporation's First Set of Interrogatories and
9 Interrogatory 14 from Oracle USA, Inc.'s Second Set of Interrogatories.

10
11 The Court, having considered all of the pleadings and supporting papers submitted by the
12 parties, and having heard the arguments of counsel, ORDERS as follows:

13 1. Number 1 above is MOOT by agreement of the parties, and is therefore DENIED.

14 2. Number 2 above is DENIED, as Defendant TomorrowNow, Inc. has complied
15 with its obligations under Federal Rules of Civil Procedure 33 and 26.

16
17 IT IS SO ORDERED.

18
19 Dated: _____

20 _____
21 ELIZABETH D. LAPORTE
22 United States Magistrate Judge
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